UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,636	03/05/2002	Richard A. Bardini	SONY-16200	9160

			EXAMINER
28960	7590	03/08/2006	HAMANN, JORDAN J

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ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

2 ✓

	Application No.	Applicant(s)
Office Action Summary	10/091,636	BARDINI ET AL.
	Examiner	Art Unit
	Jordan Hamann	2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2002</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-52</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>11-52</u> is/are allowed.

6)☒ Claim(s) <u>1 and 8</u> is/are rejected.

7)☒ Claim(s) <u>2-7,9 and 10</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 March 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: page 19 line

4 "an 1394-2000 isochronous data packet" should be –a 1394-2000 isochronous data

packet --, page 10 lines 10-12 appear to be alternative solutions and so should be

written in the alternative, and the same with page 11 lines 4-6.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by

Sriram et al. (US5,463,620).

With respect to claim 1, Sriram discloses in Figures 1, 3 & 5 and column 4 lines

10-26 a method of any speed dubbing using isochronous data packets comprising:

packetizing a data stream into the isochronous data packets configured for non

real-time transmission, thereby forming a stream of non real-time isochronous data

packets.

An isochronous data packet/cell is interpreted as delay sensitive data including

voice/video.

With respect to claim 1, Sriram discloses in Figures 1, 3 & 5 and column 4 lines 10-26 a method of any speed dubbing using isochronous data packets comprising:

transmitting the non real-time isochronous data packets from the transmitting device via the transmitting plug to the receiving device via the receiving plug.

Non real-time transmission is interpreted as non-isochronous high bandwidth services, the variable bit rate (VBR) class of traffic of ATM (column 4 lines 10-26).

Real-time transmission is interpreted as isochronous high bandwidth services, the constant bit rate (CBR) class of traffic of ATM (column 3 line 61 – column 4 lines 8).

With respect to claim 1, Sriram discloses in Figures 1, 3 & 5 and column 4 lines 10-26 a method of any speed dubbing using isochronous data packets comprising:

configuring a transmitting plug on a transmitting device for transmitting isochronous data packets in non real-time; and

configuring a receiving plug on a receiving device for receiving the isochronous data packets received in non real-time;

The links and nodes of Sriram in Figure 1 are interpreted as being configured to transmit and receive all types of ATM traffic.

With respect to claim 8, Eneboe discloses the method according to Claim 1 wherein the data stream includes audio/visual content data (column 4 lines 10-26).

Allowable Subject Matter

Claims 2-7 & 9-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
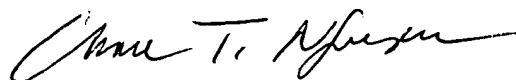
Claims 11-52 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Hamann whose telephone number is (571) 272-8564. The examiner can normally be reached on Monday-Thursday 8:30-5:30 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JJH

CHAU NGUYEN
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